

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3223 of 2018

- Tarun Kumar Singh S/o Late Shri Manak Singh Aged About 26 Years
R/o- Kumhar Para, Ward No. 16, Dongargarh, District- Rajnandgaon,
Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Police Station Somni, District-
Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. Shaleen Singh Baghel, Advocate.

For Respondent : Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

05/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.116/2017 registered at Police Station- Somni, District – Rajnandgaon(C.G.) for the offence punishable under Section 380 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 4.8.2017. Charge-sheet has been filed after completion of investigation and the trial has not been concluded so far. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The allegation against this applicant is this, that he visited the jewellery shop of the complainant and committed theft of some jewellery at the same time. After lodging of FIR, the stolen articles have been recovered and this applicant has been identified in Test Identification Parade (TIP) by the complainant. Hence, this case.
6. After considering on all the material present in the case diary and considered this fact that similarly placed co-accused persons have been granted bail by the co-ordinate Bench of this Court. This applicant does not have a criminal antecedent, for these reasons, I am of this view that applicant should be granted regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge